

calculating the transparency factor from the angle of incidence [The method of claim 16, wherein calculating the transparency factor from the angle of incidence comprises the step of:]
comprising:
calculating a non-linear function of the angle of incidence.

REMARKS

Applicant has reviewed and considered the Office Action dated as mailed August 17, 2000, and the references cited therewith.

Claims 2-4, 6-8, 11-15, and 17-19 are amended; as a result, claims 1-20 are now pending in the application.

Applicant respectfully requests reconsideration of the above-identified patent application as amended in view of the following remarks.

Claim Objections

Claims 2-4, 6-8, 11-15, and 17-19 were objected to as being dependent upon a rejected base claim, however claims 2-4, 6-8, 11-15, and 17-19 were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 2-4, 6-8, 11-15, and 17-19 have been rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant respectfully requests that the Examiner withdraw the objections to claims 2-4, 6-8, 11-15, and 17-19.

Rejections Under 35 U.S.C. § 103

Claims 1, 5, 10, and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rohlfsing et al. (U.S. Patent No. 6,034,739). Applicant traverses the rejections of claims 1, 5, 10, and 16.

Claim 1 recites a method which includes modulating the transparency of an image. Applicant respectfully submits that Rohlfsing et al. does not teach, disclose, or suggest modulating the transparency of an image. The word "modulating" does not appear in the Rohlfsing et al. patent, and the word "transparency" does not appear in the Rohlfsing et al. patent.

Therefore, the applicant respectfully requests that the Examiner withdraw the rejection to claim 1.

Claim 5 recites a system in which the transparency of an image is modulated. Applicant respectfully submits that Rohlfing et al. does not teach, disclose, or suggest a system in which the transparency of an image is modulated. The word "modulated" does not appear in the Rohlfing et al. patent and the word "transparency" does not appear in the Rohlfing et al. patent. Therefore, the applicant respectfully requests that the Examiner withdraw the reaction to claim 5.

Claim 10 recites a computer including a computer program which includes modulating the transparency of an image. Applicant respectfully submits that Rohlfing et al. does not teach, disclose, or suggest modulating the transparency of an image. The word "modulating" does not appear in the Rohlfing et al. patent, and the word "transparency" does not appear in the Rohlfing et al. patent. Therefore, the applicant respectfully requests that the Examiner withdraw the rejection to claim 10.

Claim 16 recites a method which includes calculating a transparency factor from an angle of incidence. Applicant respectfully submits that Rohlfing et al. does not teach, disclose, or suggest calculating a transparency factor from an angle of incidence. The word "transparency" does not appear in the Rohlfing et al. patent. Therefore, the applicant respectfully requests that the Examiner withdraw the rejection to claim 16.

Allowable Subject Matter

Claims 9 and 20 are allowed.

References Not Relied Upon

The Examiner has indicated that Nakamura et al. (U.S. Patent No. 5,408,601) is considered pertinent to Applicant's disclosure, although not relied upon. Applicant has reviewed the Nakamura et al. reference and suggests that it is no more relevant than references already relied upon by the Examiner.

The Examiner has indicated that Evans et al. (U.S. Patent No. 5,764,936) is considered pertinent to Applicant's disclosure, although not relied upon. Applicant has reviewed the Evans

et al. reference and suggests that it is no more relevant than references already relied upon by the Examiner.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612) 371-2109 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

JOHN DAVID MILLER

By his Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

P.O. Box 2938

Minneapolis, MN 55402

(612) 371-2109

Date

November 22, 2000

By

Danny J. Padys

Danny J. Padys

Reg. No. 35,635

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, Washington, D.C. 20231, on this 22 day of November, 2000.

Jane E. Brockschink

Name

Jane E. Brockschink

Signature